

Amended Civil Service Rules

Temporary Layoffs

As amended by the Michigan Civil Service Commission on May 2, 2007, effective immediately.

Rule 2-4 Layoffs

2-4.1 Reasons for Layoff

An employee may be laid off for reasons of administrative efficiency, including, for example, lack of work, lack of adequate funding, change in departmental mission, or reorganization of the work force.

2-4.2 Notification

An appointing authority shall give prior written notice to an employee who is laid off.

2-4.3 Indefinite Layoffs

An appointing authority may place an employee on indefinite layoff in accordance with the civil service rules and regulations governing employment preference.

2-4.4 Temporary Layoffs

(a) **Authorized.** An appointing authority may place an employee on one or more temporary layoffs as provided in this rule and any applicable regulations.

(b) **Limitations.**

- (1) A temporary layoff shall be for one or more full workdays specifically identified in prior written notice given to the employee.
- (2) An employee cannot be placed on temporary layoff status for more than 20 cumulative workdays in a fiscal year.

(c) **Relation to other rules and regulations.**

- (1) **Employment preference and recall rules not applicable.** The civil service rules and regulations governing employment preference and recall do not apply to temporary layoffs or return to work from temporary layoff.
- (2) **Insurance, leave accruals, and service credits.** Notwithstanding any other civil service rule or regulation or the fact that an employee's work hours or pay is reduced

by a temporary layoff, all temporary layoff time is considered creditable time for all purposes, including, but not limited to, the following:

- (A) Satisfaction of the standard 80-hour biweekly work period for full-time employees [rule 5-2.1].
 - (B) Compliance with compensation schedules [rule 5-3].
 - (C) Computation of service hours for the following:
 - (1) Longevity [rule 5-8].
 - (2) Annual and personal leave [rule 5-10.2(a)(1)].
 - (3) School participation leave [rule 5-10.2(a)(2)].
 - (4) Sick leave [rule 5-10.2(a)(3)].
 - (5) Holiday pay for less than full-time appointments [rule 5-10.1].
 - (6) Completion of a probationary period [rule 3-6.2].
 - (D) Eligibility for group insurance plans and benefit levels [rules 5-2.2 and 5-11].
 - (E) Computation of total continuous service hours for all purposes, including, but not limited to, employment preference, layoff, recall, step increases, and, as authorized by statute, retirement.
- (3) **Not a break in service.** An employee does not incur a break in service as a result of a temporary layoff.
- (4) **No substitution.** An employee cannot substitute annual leave, personal leave, school and community participation leave, banked leave, compensatory leave, sick leave, deferred hours, or any other paid status for a temporary layoff.
- (5) **Leave balances.** An employee is not entitled to have any leave balance paid off as a result of a temporary layoff.
- (d) **Return from temporary layoff.** An employee, including a probationary employee, shall return to work on the employee's next regularly scheduled work period following the end of the temporary layoff. The employee returns to work in the same position from which the employee was temporarily laid off.

Rule 2-5 Employment Preference

- 2-5.1 Application and Protection *[No Change]*
- 2-5.2 Determination *[No Change]*
- 2-5.3 Qualification *[No Change]*
- 2-5.4 Employee Rights to Apply Preference *[No Change]*
- 2-5.5 Application of Employment Preference between Employees Covered by a Collective Bargaining Agreement and Employees not Covered by a Collective Bargaining Agreement *[No Change]*
- 2-5.6 Effective Date *[No Change]*
- 2-5.7 No Application to Temporary Layoffs

This rule does not apply to temporary layoffs authorized in rule 2-4.4.

Rule 9-1 Definitions

Unless the context clearly provides otherwise, the following terms in the civil service rules and regulations are defined as follows:

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Creditable Time

Creditable time means each of the following:

- (a) Time in a career appointment. The following times are counted as creditable time:
 - (1) Time in an indefinite appointment that is interrupted by a layoff.
 - (2) Time in a career appointment that is interrupted by a leave of absence.
 - (3) Time in a career appointment that ends as a result of a voluntary, nondisciplinary, nonretirement separation that is immediately followed by appointment to another classified position without a break in service (e.g., resign on Friday and start to work on the next Monday).

- (b) Time in a position in the unclassified service if the appointing authority granted a leave of absence for the unclassified appointment. The time is creditable to the classification level from which the leave was granted.
- (c) Time on a military leave of absence, including temporary and emergency military leave, if authorized by civil service rule or regulation or required by federal law.
- (d) Time for emergencies, transients, and expiration of limited appointments prior to January 1977, providing they are not followed by a separation.
- (e) Time on a paid leave of absence.
- (f) Time on a temporary layoff authorized in rule 2-4.4.

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Noncreditable Time

Noncreditable time means each of the following:

- (a) Time preceding a separation, dismissal, retirement, or other break in service from state employment, unless expressly defined as creditable time.
 - (b) Time on an unpaid leave of absence, including, for example, medical leave or educational leave.
 - (c) Time on an unpaid suspension.
 - (d) Overtime in excess of 80 hours in a biweekly pay period.
 - (e) Time in a noncareer appointment.
 - (f) Military service time that is creditable for retirement only.
 - (g) Lost time.
 - (h) Time in layoff status, but excluding time on a temporary layoff authorized in rule 2-4.4.
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